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The situation in the occupied territories of Azerbaijan

Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 20 July 2007 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In addition to my previous letters of 28 June, 5 July (A/61/991-S/2007/410) and 9 July 2007 (A/61/1000-S/2007/422), I have the honour to draw your attention to the reaction of the international community to the so-called "presidential elections" in the occupied Nagorno-Karabakh region of the Republic of Azerbaijan, which were held on 19 July 2007.

The Co-Chairs of the Organization for Security and Cooperation in Europe Minsk Group observed with concern in their statement of 13 July 2007 that the so-called "presidential elections" in Nagorno-Karabakh have already caused an increase in tensions and do not contribute to the preparation of the populations for peace. The Co-Chairs reiterated that like all other members of the international community, the co-chairing countries (France, Russian Federation and United States) do not recognize Nagorno-Karabakh as an independent state and that such "elections" should not have any impact on the peaceful settlement of the conflict (see annex).

The Organization of the Islamic Conference reiterated the sovereignty and territorial integrity of Azerbaijan and expressed its rejection of these "elections", which represent a grave violation of the norms and principles of international law and interfere with the ongoing peace process. The Organization of the Islamic Conference underscored that neither this act nor its results have any legal effect (see enclosure I).

All three institutions of the European Union — the Council of the European Union, the European Parliament and the European Commission's Special Envoy to the Republic of Azerbaijan — denounced these "presidential elections", underlining that they do not recognize legitimacy of this act. It was also emphasized that these

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"elections" should not have any impact on the peaceful settlement of the conflict (see enclosures II-IV).

Other international organizations, such as the Council of Europe and NATO, as well as countries including the United States, France, Norway, Turkey, Ukraine, Latvia and others, have expressed their condemnation of the "elections" and their results.

It is the strong belief of my Government that these "elections" are of a provocative nature and cannot be considered legal, nor will they contribute to the international mediation efforts aimed at the peaceful settlement of the conflict on the basis of the norms and principles of international law, including Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993). Any future elections can be conducted only with the participation of both the Armenian and Azerbaijani communities of the Nagorno-Karabakh region of the Republic of Azerbaijan.

I should be grateful if the present letter and its annex were distributed as a document of the General Assembly, under agenda items 17 and 27, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

Annex to the letter dated 20 July 2007 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Excerpt from the statement by the Co-Chairmen of the Organization for Security and Cooperation in Europe Minsk Group (Ambassador Yury Merzlyakov of Russia, Ambassador Bernard Fassier of France and Ambassador Matthew Bryza of the United States) issued in Vienna on 13 July 2007

"6. ... The upcoming so-called presidential elections in Nagorno-Karabakh have already caused an increase in tensions. Recalling their statements with respect to previous votings in Nagorno-Karabakh, the Co-Chairs reiterate that, like all other members of the international community, their countries do not recognize Nagorno-Karabakh as an independent state, and such 'elections' should not have any impact on the peaceful settlement of the Nagorno-Karabakh conflict. Finally, the Co-Chairs stress the primary role of the Organization for Security and Cooperation in Europe Minsk Group in mediation of the Nagorno-Karabakh conflict. They note that unilateral initiatives in other organizations can increase tensions and disrupt the negotiation process. Therefore, they urge the sides to focus their attention in the coming months on making real progress in the negotiations mediated by the Minsk Group Co-Chairmen."

Enclosure I

Press release

The OIC Secretary-General rejects the so-called "presidential elections" in Nagorno-Karabakh

The Secretary-General of the Organization of the Islamic Conference (OIC) Prof. Ekmeleddin Ihsanoglu has expressed the OIC's rejection of the so-called "presidential elections" in Nagorno-Karabakh.

The so-called "elections" gravely violate relevant norms and principles of international law, and interfere with an ongoing peace process. This act and its results therefore have no legal effect.

The OIC fully recognizes the sovereignty and territorial integrity of the Republic of Azerbaijan. In compliance with the relevant OIC documents, including the Islamabad Declaration, adopted by the 34th Session of the Islamic Conference of Foreign Ministers, the Organization of the Islamic Conference once again strongly condemns the aggression of the Republic of Armenia against the Republic of Azerbaijan and urges immediate, complete and unconditional withdrawal of Armenian occupying forces from the occupied territories of Azerbaijan.

Any constitutional document envisaging a self-rule for the population of the Nagorno-Karabakh region can only be elaborated through a legal, democratic, and peaceful process with a full, equal, and direct participation of the entire population of the region consisting of the Armenian and Azerbaijani communities.

Jeddah, 19th July 2007

Enclosure II

Declaration by the Presidency on behalf of the European Union on the "presidential elections" in Nagorno-Karabakh on 19 July 2007

Date: 2007-07-20

The EU is aware that "presidential elections" have taken place in Nagorno-Karabakh on 19 July 2007. The EU underlines that it does not recognize the independence of Nagorno-Karabakh. Neither does it recognize the legitimacy of these "presidential elections", which should not have any impact on the peaceful settlement of the Nagorno-Karabakh conflict.

Furthermore, the EU recalls that refugees and internally-displaced persons should be given the right to a safe, secure and dignified return of their homes in order to fully participate in electoral acts.

The EU reiterates its firm support to the OSCE Minsk-Group and its Co-Chairmen, and their efforts towards a settlement of the Nagorno-Karabakh conflict. The EU urges the parties concerned to intensify their efforts to find a negotiated solution to the conflict.

"The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia align themselves with this declaration.

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process."

Enclosure III

European Parliament

Delegation to the EU-Armenia, EU-Georgia, EU-Azerbaijan Parliamentary Cooperation Committees

- The Chair -

Statement

by Mrs. Marie Anne ISLER BÉGUIN, MEP

on the "presidential elections" held in Nagorno-Karabakh, on 19 July 2007

Brussels, 20 July 2007. The European Parliament delegation to EU-Azerbaijan Parliamentary Cooperation Committee does not recognise the so-called "presidential elections" that were held in Nagorno-Karabakh on 19 July 2007. It considers that no legitimate elections can be held in this region until all refugees and internally displaced persons are given the right to return in safety and dignity to their homes and are able to vote.

It supports the resumption of negotiations between Armenia and Azerbaijan and stresses that the final status of Nagorno-Karabakh must be resolved through peaceful negotiations and according to the international law.

It stresses that the significant changes, which have taken place recently in the region, have given rise to a sense of optimism that the territorial conflicts can be resolved without recourse to violence. With the inclusion of Armenia and Azerbaijan in the European Neighbourhood Policy of the European Union and the beginning of implementation of its Action Plan, new hopes and perspectives have arisen for a resolution of this long-lasting problem.

Thus, it urges the two sides to show a clear commitment to find a viable solution to the Nagorno-Karabakh protracted stalemate.

Enclosure IV

Council of Europe

Press release - 511 (2007)

Chair of the Council of Europe's Committee of Ministers: Declaration on the "presidential elections" to be held in Nagorno Karabakh on 19 July 2007

Strasbourg, 12 July 2007 – "As regards the 'presidential elections' to be organised in Nagorno Karabakh on 19 July 2007, and having in mind that neither the 'elections' nor their results are recognised by the international community, the Chairmanship of the Committee of Ministers of the Council of Europe reiterates its full support to the OSCE Minsk Group and its Co-Chairmen in their efforts towards a settlement of the Nagorno Karabakh conflict. It notes with concern that conducting such 'elections', thus pre-empting the outcome of the ongoing negotiations, cannot contribute to the resolution of the conflict. It calls on all parties concerned to intensify their efforts to find a peaceful solution to the conflict, in accordance with the commitment undertaken by Armenia and Azerbaijan upon accession to the Council of Europe".